

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 Brett B. Strong,
5 Plaintiff

6 v.

7 Bank of New York Mellon, et. al,
8 Defendants
9

2:13-cv-00656-JAD-GWF

**Order Dismissing Case
with Prejudice**

10 By this action, plaintiff Brett B. Strong challenges Bank of New York Mellon's deed-of-trust
11 interest in his home. Doc. 32. In March 2014, in response to the Bank's motion to dismiss, the court
12 found that Strong had failed to state a cognizable claim and gave him leave to amend to cure
13 carefully identified deficiencies in his claims. Doc. 22. Strong amended, Doc. 32, and the Bank
14 again moved for dismissal, noting that the amendment failed to cure the defects. Doc. 33. The court
15 agreed and dismissed the claims, Doc. 39, but gave Strong yet one more opportunity to file a proper
16 motion to amend his complaint to plead an intentional misrepresentation claim. Doc. 39. The court
17 cautioned Strong that "if [he] fails to file a proper motion to amend by [June 8, 2015,] or fails to
18 show that he can plead a plausible intentional-misrepresentation claim, this case will be dismissed
19 with prejudice." *Id.* Strong took neither course of action.

20 Accordingly, IT IS HEREBY ORDERED that this case is DISMISSED WITH PREJUDICE.
21 The Clerk of Court is instructed to enter judgment accordingly and close this case.

22 Dated this 19th day of June, 2015.

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25 Jennifer A. Dorsey
26 United States District Judge
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